

REMARKS

By entry of this amendment, claims 5-9 and 15-29 are currently pending in this application. Claims 1-4 and 10-14 have been canceled, and claims 5-9 and 15-29 have been rejected. Claims 5, 6 and 18-29 have been amended. Support for the claim amendments can be found at least in FIGS. 4-7 and ¶¶ 18, 24 and 25 of Applicants' published patent application. In view of the foregoing amendments and following remarks, the Applicants request reconsideration of the rejections, and a notification of allowance of the Application.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112

Claims 24-29 stand rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims have been amended to address the Examiner's concerns. Applicants respectfully submit that claims 24-29 are definite, and request withdrawal of the rejection.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

Claims 5-9 and 15-29 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Zawadzki et al. (U.S. Patent No. 7,107,268) in view of Using Microsoft Excel 97, by Hallberg Bruce A., Sherry Kinkoph and Bill Ray (hereinafter "UME") and further in view of Nakayama (U.S. Patent No. 5,317,504). Applicants respectfully traverse.

Claim 5 now recites, in part:

executing, by a rules manager, one or more rules related to the budget item stored in a rules array data structure, the rules including ***a working budget address field containing pointers to entries at the node and sub-node levels within the hierarchical working budget database in the first data storage area***, and ***a reference budget address field containing a pointer to entries at a node level within the hierarchical reference budget database in the second data storage area***, a test field containing a definition of a test relationship between the entries pointed to in the hierarchical working budget database and the entry pointed to in the hierarchical reference budget database, and a field containing a definition of a response that is a function of the test relationship, ***the executing comprising:***
retrieving data related to the budget item from the entries in the working budget database pointed to by the pointers in the working budget address field;

***retrieving data from the entry in the reference budget database
pointed to by the pointers in the reference budget address field;
applying the test relationship to the retrieved data;***

Claim 15 recites similar features. At page 3 of the Office Action, the Office asserts that Zawadzki discloses the above claimed feature with respect to a rule processor that is allegedly analogous to the claimed rule manager. However, the rule processor of Zawadzki does not disclose executing rules having a structure as recited in independent claim 5. The Office asserts that Zawadzki discloses pointers at column 14, lines 21-23, but the disclosed pointers having nothing to do with the execution of rules by a rule processor. The cited text explains how pointers can be used to prevent storing data twice, nothing more.

The Office responds to Applicants' arguments by stating Zawadzki teaches rules at column 40, lines 34-47 and column 41, lines 52-60. But there is no specific description as to the structure of the rules or how they are executed, other than a user is prevented from over-allocating funds for a budget item. These implied rules do not have the structure of the claimed rules, and are not described in a manner that one of ordinary skill in the art can determine how the implied rules disclose rules executed as recited in the above highlighted claim language. The Office admits at page 5 of the Office Action that "Zawadzki does not explicitly teach that the rules themselves include pointers to entries within the working and reference budgets", and relies on UME to disclose such a feature.

UME allegedly teaches conditional rules containing pointers, but as best understood the conditional rules of UME do not have address fields having pointers to nodes and sub-nodes as recited above.

The Office cites Nakayama as disclosing separate data storage areas, but Nakayama does not disclose the claimed rule structure or executing the rules in the manner recited in the claims. In fact, Nakayama merely refers to "accounting rules", and no other rules.

Since none of the applied prior art disclose rules containing pointers to nodes and sub-nodes within a database as recited in the above claim language, the applied prior art would need to be modified in a way that would change its principle of operation. As the Examiner is aware, if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349

(CCPA 1959). The explanation of the combination of references does not create a *prima facie* case of obviousness.

Applicants respectfully submit that Zawadzki, UME and Nakayama, either individually or in combination, do not disclose or suggest the above highlighted features in combination with the other features recited in claim 5. In particular, the combination of applied art does not disclose rules having address fields containing pointers to nodes and/or sub-nodes or executing the rules by accessing the data in the nodes and sub-nodes of the respective databases pointed by the pointers.

Accordingly, claim 5 is allowable. Claims 6-9, 18-22, 25 and 28 depend from claim 5, and are also allowable. Furthermore, claims 18-22 have been amended to recite an additional level of detail not disclosed in the combination of references. Claim 15 is allowable for the same reasons as claim 5, and claims 16, 17, 20, 26 and 29, which depend from claim 15, are also allowable.

Claim 23 is directed to a system. Claim 23 was rejected under the same rationale as claims 5 and 15. As stated with respect to claims 5 and 15, the applied prior art does not disclose or suggest the combination of features recited in the independent claims. In particular, claim 23 recites, in part:

a processor executing one or more of the plurality of rules stored in the rules array, ***the processor configured to:***

retrieve values of the budget item from the entries in the working budget database pointed to by the pointers in the working budget address field;

retrieving values from the entry in the reference budget database pointed to by the pointers in the reference budget address field;

applying the test relationship to the retrieved data;

As discussed above with respect to independent claims 5 and 15, Zawadzki, UME and Nakayama, either individually or in combination, do not disclose or suggest the above highlighted features in combination with the other features recited in claim 23. Accordingly, claim 23 is allowable, claims 24 and 27 depend from claim 23, and are also allowable.

CONCLUSION

In light of the above discussion, Applicants respectfully submit that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

Although not believed necessary, the Office is hereby authorized to charge any fees required under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayments to Deposit Account No. 11-0600. The Office is invited to contact the undersigned at 202-220-4200 to discuss any matter regarding this application.

Respectfully submitted,

Date: July 14, 2009

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